

780-X-1-.16 Declaratory Rulings.

(1) The Board may issue declaratory rulings to any person substantially affected by a rule with respect to the validity of the rule, or with respect to the applicability to any person, property, or state of facts of any rule or statute enforceable by the Board, or with respect to the meaning and scope of any order of the Board. Such rulings shall be issued provided:

(a) The petitioner shows that he/she is substantially affected by the rule in question;

(b) Sufficient facts are supplied in the request to permit the Board to make a valid determination; and

(c) The request arises from an actual question or controversy.

(2) A petition for a declaratory ruling shall be submitted in the following form:

Petition For Declaratory Ruling

On Rule No. _____

1. Petitioner

Name: _____

Address: _____

Telephone _____

2. All rules or statutes that may be involved in the petition, if known:

3. Clear and concise statement of the precise factual situation involved:

4. The exact question to which an answer is desired:

5. The reason for submitting the petition:

6. Full disclosure of the petitioner's interest:

7. Statement as to whether the petitioner's case is presently under consideration by the Alabama Real Estate Appraisers Board or in any pending proceedings:

8. Affidavit certification

Signature of Petitioner _____

Sworn to and Subscribed before me this the _____ day of _____, 19____.

Notary Public

(3) Such rulings will be made in accordance with the Alabama Administrative Procedure Act, Code of Ala. 1975, §41-22-11.

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §§34-27A-5, 41-22-11.

History: **Emergency adoption** filed February 15, 1991; effective February 18, 1991. **Permanent adoption** filed April 8, 1991; effective May 15, 1991.